

REGISTER OF CLASSIFICATION DECISIONS

Title of Publication: tn_jase_ry01_jpg[1].jpg

Other Known Title: Not Stated

Medium: Computer Image File

Director/Author: Not Applicable

Producer/Publisher: Not Stated

Country of Origin: Not Stated

Language: Not Applicable

Applicant: New Zealand Police

Distributor: Not Applicable

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
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Descriptive Note: Not Applicable

Display Conditions: Not Applicable

Date of entry in Register: 14 May 2008

Date of direction to issue a label: Not Applicable

OFLC No: 800073

Excisions: Not Applicable.

Reasons for excisions:

Not Applicable

**Summary of reasons
for classification:**

The computer image file *tn_jase_ry01_jpg[1].jpg* is classified as:

Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.

The computer image file contains an image showing two male figures engaged in sexual activity. One of the figures appears adult. The other is thin-limbed and small by comparison, giving the impression that he may be a young person. However, the visual evidence is slight and ambiguous. The extremely poor quality of the image makes it impossible to place this figure as a young person with any certainty, or to discern any elements that link youthfulness with sexual desirability.

The computer image file is intended for adult users and for the purpose of sexual arousal. The right to freedom of expression set out in the New Zealand Bill of Rights Act 1990 has been weighed against the likelihood of injury to the public good if the publication is made available to children and young persons. Given the sexual content of the image file, restriction to adult viewers is reasonable, demonstrably justifiable and the minimum required to prevent injury.